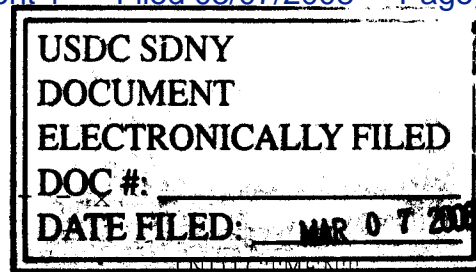


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

-v.-

YURIY RAKUSHCHYNETS,
IVAN BILTSE,
a/k/a "Ivan Belyayev," and
ANGELINA KITAEVA,

Defendants.

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COUNT ONE

(Conspiracy to Commit Access Device Fraud)

The Grand Jury charges:

1. From at least in or about October 2007, up to and including on or about March 4, 2008, in the Southern District of New York and elsewhere, YURIY RAKUSHCHYNETS, IVAN BILTSE, a/k/a "Ivan Belyayev," and ANGELINA KITAEVA, the defendants, and others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Sections 1029(a)(5) and 1029(b)(1).

2. It was a part and an object of the conspiracy that YURIY RAKUSHCHYNETS, IVAN BILTSE, a/k/a "Ivan Belyayev," and ANGELINA KITAEVA, the defendants, and their co-conspirators, unlawfully, willfully and knowingly, and with intent to defraud, in an offense affecting interstate commerce, would and did effect

and attempt to effect transactions, with one and more access devices issued to another person and persons, to receive payment and other things of value during a one-year period the aggregate value of which is equal to or greater than \$1,000, in violation of Title 18, United States Code, Section 1029(a)(5) and (b)(1).

Overt Acts

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. From time to time before on or about March 4, 2008, YURIY RAKUSHCHYNETS and IVAN BILTSE, a/k/a "Ivan Belyayev," the defendants, received over the Internet information relating to the bank accounts of multiple Citibank customers, which information had been previously stolen from Citibank.

b. On or about February 14, 2008, at or around 1:28 p.m., BILTSE withdrew cash from an ATM in Manhattan, New York.

c. On or about February 21, 2008, at or around 10:42 a.m., RAKUSHCHYNETS and BILTSE withdrew cash from an ATM in Manhattan, New York.

d. On or about March 3, 2008, ANGELINA KITAEVA, the defendant, deposited approximately \$20,000 into an account maintained at a bank branch in Brooklyn, New York.

(Title 18, United States Code, Section 371.)

COUNT TWO

The Grand Jury further charges:

4. From in or about October 2007, up to and including on or about March 4, 2008, in the Southern District of New York and elsewhere, YURIY RAKUSHCHYNETS, IVAN BILTSE a/k/a "Ivan Belyayev," and ANGELINA KITAEVA, the defendants, unlawfully, willfully, and knowingly, and with intent to defraud, in an offense affecting interstate commerce, did effect and attempt to effect transactions, with one and more access devices issued to another person and persons, to receive payment and other things of value during a one-year period the aggregate value of which is equal to or greater than \$1,000, to wit, RAKUSHCHYNETS, BILTSE, and KITAEVA used Automatic Teller Machine ("ATM") cards encoded with Citibank customers' account information to withdraw monies from ATMs in amounts totaling more than \$1,000, without authorization from the account holders.

(Title 18, United States Code, Sections 1029(a)(5), 1029(b)(1) and 2.)

FORFEITURE ALLEGATION

5. As the result of committing one or more of the offenses alleged in Counts One and Two herein, YURIY RAKUSHCHYNETS, IVAN BILTSE a/k/a "Ivan Belyayev," and ANGELINA KITAEVA, the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(2)(B),

any property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense(s), including but not limited to the following:

a. Approximately \$2,000,000 in United States currency, in that such sum constitutes or is derived, directly or indirectly, from proceeds traceable to the commission of the offenses alleged in Counts One and Two of this Indictment for which the defendants are jointly and severally liable;

b. Approximately \$800,000 in United States currency seized from YURIY RAKUSHCHYNETS on February 29, 2008; and

c. Approximately \$800,000 in United States currency seized from IVAN BILTSE a/k/a "Ivan Belyayev," on March 4, 2008.

Substitute Assets

d. If any of the above-described forfeitable property, as a result of any act or omission of the defendant

i. cannot be located upon the exercise of due diligence;

ii. has been transferred or sold to, or deposited with, a third party;

iii. has been placed beyond the jurisdiction of the court;

iv. has been substantially diminished in value; or

v. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 18, United States Code, Section 982(b), to seek forfeiture of any other property of said defendants up to the value of the forfeitable property.

(Title 18, United States Code, Section 982; and Title 18, United States Code, Sections 1028, 1929 and 1930.)



FOREPERSON



MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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SOUTHERN DISTRICT OF NEW YORK**

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- v. -

**YURIY RAKUSHCHYNETS,
IVAN BILTSE,
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ANGELINA KITAEVA**

Defendants.

INDICTMENT

08 Cr.

18 U.S.C. §§ 371 and 1029(a)(5) and (b)(1); and 2

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL



Foreperson.

Rest 11-87

3/7/08

Filed Ind,
Ellis, J.